



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**REGION 10**  
1200 Sixth Avenue, Suite 155, 14-D12  
Seattle, WA 98101-3144

REGIONAL  
ADMINISTRATOR'S  
DIVISION

May 18, 2023

Jeff Maslow, Senior Environmental Protection Specialist  
Bonneville Power Administration  
Public Affairs – DKE-7  
P.O. Box 14428  
Portland, Oregon 97291-4428

Dear Jeff Maslow:

The U.S. Environmental Protection Agency has reviewed Bonneville Power Administration's April 2023 Draft Environmental Assessment for the Uma-Birch Floodplain Reconnection Project (EPA Project Number 23-0019-BPA). EPA has conducted its review pursuant to the National Environmental Policy Act and our review authority under Section 309 of the Clean Air Act. The CAA Section 309 role is unique to EPA and requires EPA to review and comment publicly on any proposed federal action subject to NEPA's environmental impact statement requirement.

The DEA evaluates the potential environmental impacts associated with providing funding to the Confederated Tribes of the Umatilla Indian Reservation to enhance fish and wildlife habitat along one mile of the Umatilla River in Umatilla County, Oregon. The DEA identifies and evaluates a No Action Alternative and the Proposed Action. Proposed activities include removing the Pendleton 2a levee, constructing a new set-back levee, realigning the Umatilla River, constructing wetland and side channel habitat, removing buildings, and decommissioning a Concentrated Animal Feeding Operation.

EPA supports BPA's efforts to restore fish and wildlife habitat and we appreciate including the U.S. Army Corps of Engineers as a cooperating agency. Detailed below are recommendations for the Final EA:

### **Tree Hauling**

The DEA states that a "total of around 80 large woody structures would be installed within the existing and the proposed new main channels within the ordinary high water (OHW) boundary...Techniques for wood placement would involve hauling trees from an area outside of the riparian zone and placing them individually or in aggregate in specified locations in the project area."<sup>1</sup> We recommend that the FEA:

- Define the riparian zone with a buffer distance from the Umatilla River and Birch Creek. Implement buffers that minimize sedimentation and maximize shade to limit temperature increases in the waterbodies. EPA recognizes that the Proposed Action includes "planting fast-growing willows (*Salix* spp.) and other riparian species along the new channel would reduce stream surface exposure over time."<sup>2</sup>
- Estimate the volume of wood to be collected for installing the large woody structures.

---

<sup>1</sup> DEA, pg. 2-4.

<sup>2</sup> DEA, pg. 3-14.

- Provide information related to the stream assessments and associated designs of the large woody structures.

### **Mitigation**

Mitigation measures for the vegetation resource category includes “mechanical and chemical treatment methods for non-native species.”<sup>3</sup> EPA recommends that chemicals associated with chemical treatment are included in DEA Table 4-1, “Potential Applicable Statutory, Regulatory, and Other Considerations.”<sup>4</sup>

### **General**

The DEA states that “[t]o maintain the current level of flood protection provided by the authorized levee upstream of Birch Creek, an approximately 750-foot new set-back levee would be constructed in closer proximity to Birch Creek Road consistent with Corps and Federal Emergency Management Agency (FEMA) standards.”<sup>5</sup> EPA recommends that Table 2-1, “Proposed Action Restoration Elements,” include set-back levee construction and its quantity/metric. We also recommend that the FEA include a discussion of how the proposed new levee design accounts for changes in stream hydrology and climatic conditions.

Thank you for the opportunity to review the DEA for this project. If you have questions about this review, please contact Caitlin Roesler of my staff at 206-553-6518 and roesler.caitlin@epa.gov, or me, at (206) 553-1774 or at chu.rebecca@epa.gov.

Sincerely,

Rebecca Chu, Chief  
Policy and Environmental Review Branch

---

<sup>3</sup> DEA, Table 2-5, pg. 2-15.

<sup>4</sup> DEA, Table 4-1, pg. 4-1.

<sup>5</sup> DEA, pg. 2-1.